

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No. : *To Be Assigned* Confirmation No. :  
Applicant : Olav FINKENWIRTH, et al.  
Filed : Herewith Concurrently  
TC/A.U. : *To Be Assigned*  
Examiner : *To Be Assigned*  
Docket No. : 080437.53069US  
Customer No. : 23911  
Title : Seal Construction For A Fuel Cell Electrolyser And  
Process For Making A Fuel Cell With Same

**INFORMATION DISCLOSURE STATEMENT  
UNDER 37 CFR §§ 1.97 and 1.98**

**Mail Stop NEW APPLICATION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 CFR §1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached Form PTO-1449 and/or listed herein and which the Examiner may deem relevant to patentability of the claims of the above-identified application.

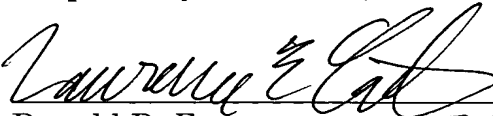
In compliance with the concise explanation requirement under 37 CFR §1.98(a)(3) for foreign language documents, Applicant encloses herewith a copy of a German Office Action citing such documents indicating the degree of relevance found by the foreign office.

The present Information Disclosure Statement is being filed concurrently with the above-captioned application, and therefore no statement under 37 C.F.R. §1.97(e) or fee under 37 C.F.R. §1.17(p) is required.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

Respectfully submitted,

January 21, 2004

  
for Donald D. Evenson  
Registration No. 26,160  
REG. NO.  
51,532

CROWELL & MORING, LLP  
Intellectual Property Group  
P.O. Box 14300  
Washington, DC 20044-4300  
Telephone No.: (202) 624-2500  
Facsimile No.: (202) 628-8844  
#300158v1

FORM PTO-1449 U.S. Department of Commerce Patent & Trademark Office  <b>INFORMATION DISCLOSURE STATEMENT</b> <i>(Use several sheets if necessary)</i>	Attorney Docket No. 080437.53069US	Serial No. To Be Assigned
	Applicant: Olav FINKENWIRTH, et al.	
	Filing Date Concurrently Herewith	Group TBA

U.S. PATENT DOCUMENTS							
Examiner Initial		Document Number	Date	Name	Class	Sub-Class	Filing Date (if appropriate)
	AA						
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						

FOREIGN PATENT DOCUMENTS								
Examiner Initial		Document Number	Date	Name	Class	Sub-Class	TRANSLATION	
							Yes	No
	AI	WO/96/17394	6/6/96	WIPO			Abstract	
	AJ	JP 64-3966	1/9/89	Japan			Abstract	
	AK	JP 2-209689	8/21/90	Japan			Abstract	
	AL	JP 6-260192	9/16/94	Japan			Abstract	
	AM	JP 10-92450	4/10/98	Japan			Abstract	
	AN	DE 195 15 457 C1	7/25/96	Germany				
	AO	JP 02007372 A	1/11/90	Japan			Abstract only	
	AP	DE 19960516A1	7/6/00	Germany				
	AQ	DE 19650903A1	6/10/98	Germany				
	AR							

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)							
	AS	German Office Action dated 7/9/03					
	AT						
	AU						

EXAMINER	DATE CONSIDERED
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication.	